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Attorneys for Defendant Douglas L. Pearl

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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Melissa D. Forbes,

Plaintiff,

JUDGE: Thomas P. Griesa

v.

A.G. Edwards & Sons, Inc., Wachovia Securities,
LLC, Wachovia Corporation, and
Douglas L Pearl,

Civic Action No. 1:08-CV-00552-TPG

NOTICE OF MOTION

Defendants.
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PLEASE TAKE NOTICE, that defendant Douglas Pearl (hereinafter referred to as "Pearl"), will move before the United States District Court for the Southern District of New York, 40 Foley Square, New York, New York 10007, on a date to be determined by the court, for an Order seeking to Compel Arbitration to Stay the Present Action or, In the Alternative, to Dismiss and;

PLEASE TAKE FURTHER NOTICE, that, in support of this motion, Mr. Pearl will rely upon the accompanying Affidavit of Janene M. Marasciullo and the Memorandum of Law In Support of Defendant Douglas L. Pearl's Motion for an Order Staying the Present Action and Compelling Arbitration or, in the Alternative, to Dismiss and;

PLEASE TAKE FURTHER NOTICE that Defendant Pearl requests oral argument if this motion is opposed.

By: /s/ Janene M. Marasciullo
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Dated: April 23, 2008

ND: 4844-5027-1490, v. 1